IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929

WP(C).No. 29327 of 2007(N)

PETITIONER:

JOHN ANTONY,
AGED 50 YEARS, S/O.ANTONY,
THEKKINEDATH HOUSE, MARKET ROAD, N.PARAVUR.

BY ADV. SRI.BIJU .C. ABRAHAM
SRI.JACOB GEORGE

RESPONDENTS:

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1. STATE OF KERALA REP.BY ITS
SECRETARY TO LOCAL ADMINISTRATION,
GOVT.SECRETARIAT, THIRUVANANTHAPURAM.

2. THE CHITTATUKARA GRAMA PANCHAYATH,
REP.BY ITS SECRETARY, GRAMA PANCHAYAT OFFICE,
VADAKKEKARA.

BY GOVT. PLEADER SRI. K.J.MOHAMMED ANZAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C). NO. 29327 OF 2007

Dated this the 16th day of November, 2007

J U D G M E N T

Learned Government Pleader on instructions submits that Ext.P4 appeal was actually received by the Government but upon constitution of the Tribunal for local self government institutions, the same was forwarded as early as in 2004 to the Tribunal for consideration.

Under these circumstances, I dispose of the writ petition permitting the petitioner to file an application before the Tribunal for local self government institutions, Thiruvananthapuram, which is suo motu imleaded as additional 3rd respondent in the writ petition for early posting of Ext.P4 appeal. Registry will carry out necessary corrections in the cause title, permitting the petitioner to move the additional 3rd respondent by filing necessary applications for registration, posting and disposal of Ext.P4 appeal. If the additional 3rd respondent informs the petitioner that the original of Ext.P4 has not been received from the Government, the Tribunal will entertain an appeal identical to Ext.P4 provided, the same is filed by the petitioner within 7 days of the Tribunal informing the petitioner regarding the non receipt of the original of Ext.P4. If such an appeal is filed within the time as directed above, it will be disposed of in accordance with the law by the Tribunal notwithstanding the apparent delay.

PIUS C. KURIAKOSE, JUDGE

vps